

Town of Rowe – FY2012  
Board of Selectmen - Minutes  
Tuesday, June 5, 2012 – 6:00pm  
Rowe Town Hall

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**Call to Order:** The meeting was called to order by Chairman Abbott at 6:05pm.

**Present:** Chairman Noel Abbott and Selectmen Paul McLatchy III and Marilyn Wilson

**Upcoming STM:**

- **Date of Meeting:** Chairman Abbott reported that the Special Town Meeting to be held on June 13<sup>th</sup> cannot go forward as the Town Clerk was not informed in sufficient time to have the required voter registration held 10 days before the meeting. In the future the Town Clerk will be informed as soon as a town meeting date is chosen. The meeting is now scheduled for Tuesday, June 19<sup>th</sup> at 6:00pm.
- **Proposed Zoning Bylaw Changes:** The Selectboard voted unanimously (3/0/0) to not include the proposed zoning bylaw changes on the warrant for the meeting, as Chairman Abbott reported he felt there was a gray area concerning the finalization of the proposed bylaws.
- **School Paving Project:** There was a question as to whether the paving project should be pursued at this time. \$60,000 has already been appropriated for this project; however, the low bid came in at \$74,900. DPW Supt. Jim Taylor recommends the project go forward. The original pavement is still in place, and has had two overlays. There are large areas of cracking, which cannot be remedied by additional overlays. Mr. Taylor stated the quickest, least costly fix is to remove the existing pavement and lay new pavement. If the project is postponed it will only be more costly in the future. The Selectboard voted unanimously (3/0/0) to place an article on the STM warrant requesting additional funds of \$14,900 from the Capital Stabilization Fund for paving the school parking lot and driveway.
- **Legal/Consulting Fees for School Matter:** Article seeking \$15,000 in additional funds is included in the warrant.

The Selectboard voted unanimously (3/0/0) to approve and sign the June 19<sup>th</sup> STM Warrant.

**Ed May Retirement Party:** Ms. Miller will put out a townwide phone call about the event to be held June 23<sup>rd</sup>.

**Request for Public Record:** Kris Swenson asked why there was a delay in obtaining a copy of the IG's letter concerning the town's BJ's membership. Chairman Abbott explained that he is in conversation with Town Counsel Joel Bard concerning the matter. As there is reference in the letter to a town employee and there are inaccuracies in the letter it was agreed to discuss the matter in Executive Session at the next regular meeting. It was also noted that there are several area towns that have BJ's memberships that are open to town employees as a benefit. As in Rowe, employees pay for their own memberships at a reduced rate. The Selectboard can assess if there is a net benefit to the town to have a BJ's membership in the future, and if so, can adopt policies concerning its use. As to the IG's letter, Chairman Abbott explained that there is certain information that Attorney Bard has counseled could be redacted at this time for the short term, but once the matter is resolved, the full letter will become public record. The Fire Department also has a BJ's membership. That matter will be addressed also.

**Question Concerning Forensic Financial Audit:** Cindy Laffond stated she is still awaiting an answer that Chairman Abbott was getting in writing from town counsel concerning the Dec 2011 town meeting vote appropriating funds for a forensic financial audit. Rather than a forensic financial audit, the Selectmen had Internal Control Review prepared. He has not heard yet from town counsel, but will get from Town Counsel Joel Bard a formal response on Kopelman and Paige letterhead.

**Electricity Contract:** Geoff Rogers of Hampshire Power discussed two possible contracts available to the town -- a fixed price contract which is currently at 7.2 cents/kWh, or a variable indexed price "real time" contract which is the wholesale price with a 3 cent/kWh adder. Hampshire Power, which is the smallest supplier in the Commonwealth, has 105 customers now made up of cities, towns and the state Dept of Fish & Wildlife. Savings to date are \$1.6 million—or \$10,000 per customer. They have 3 FT and 2 PT employees. Their standard one-year contracts renew automatically, and have a 60 day notice to discontinue. Mr. Rogers stated that we could opt to not be bound by the automatic renewal provision. Mr. Rogers was asked to email contracts to Ms. Miller tomorrow so she can disseminate them to the Selectboard for their review. They will make a decision at their next meeting on June 19<sup>th</sup>. Mr. Rogers stated that Kopelman and Paige has reviewed the contracts for many other towns.

**Audit Committee:** At the request of Audit Committee Chair Walt Quist, the Selectboard voted unanimously (3/0/0) to disband the Audit Committee. Chairman Abbott and Selectman McLatchy publicly thanked Walt Quist, Pru Berry and Marilyn Wilson for all of their work on this committee.

**Police Dept Update:** Report at next regular meeting.

**Harper's Payroll:** Harpers has the ability to upload all MTRB data into the BERT system. Ms. Miller is to ascertain from Harpers if they can process the MTRB monthly payment also. The Selectboard voted unanimously (3/0/0) to have Harpers Payroll Services provide data to MTRB, as well as to transfer monthly retirement deductions to MTRB via the BERT system if they have that capability, pending approval by the Superintendent of Schools who MTRB has given the authority to designate who has logon privileges. Ms. Miller will contact Harpers for additional information and will contact Supt. Buonoconti to get authorization for Harpers to access MTRB's BERT system on behalf of the Town of Rowe/Rowe teachers.

**Siemens Contract—Amendment #1:** The Selectboard voted unanimously (3/0/0) to approve and sign Amendment #1 to the Siemens contract. Ms. Miller will forward the document to Shane Garrabrant at Siemens for their approval/signature.

**SunTrust Equipment Lease Payoff:** Selectman Wilson stated that Jack Packard's latest document from the Annual Town Meeting does not match records she has concerning the payoff amount. Ms. Miller will forward the latest payoff letter from SunTrust to Ms. Wilson. [The payoff amount in the April 5, 2012—revised April 27, 2012—letter is \$312,804.21, which includes late charges of \$2,140. This amount assumes payment of July 1, 2012.] Ms. Miller will discuss with Joyce Muka the logistics of making this July 1<sup>st</sup> payment. Ms. Muka will be the Rowe Town Accountant effective July 1, 2012. This payment is predicated on ratification of the May 19<sup>th</sup> ballot question vote by special legislation requested to be enacted by Gov. Patrick.

**Welcome to New BOS Member:** Chairman Abbott apologized to newly-elected Selectman Marilyn Wilson for his oversight in not welcoming her to the board at her first meeting on May 23<sup>rd</sup>, and for his additional oversight for not welcoming her as the first item at this evening's meeting. She thanked him and accepted his apology. Selectman McLatchy will officially place her name on the Selectmen's Office door immediately following the meeting, and Ms. Miller will contact outgoing Selectman Bob Clancy to obtain the office keys for Ms. Wilson.

**School Payphone:** Chairman Abbott stated he is handling this matter. The old school payphone has been disconnected, and will be removed at some point by Pacific Telemanagement. Principal Bill Knittle is to have Facilities Manager Robin Pease check to see if the phone line that they hope they can tie into the school's phone system can be programmed to make local and 911 calls only.

**WTI Systems:** Selectman Wilson stated that there is a one-time implementation charge that will be due to WTI Systems for the Fundware® software. She will contact Fundware® directly to get authorization from them to pay WTI Systems directly.

**Sign on TH Front Lawn:** Ms. Miller reported that two residents have asked that the sign indicating the nurse's days/hours of operation be removed from the front lawn, as this information is now well known to residents, and office hours for other officials/departments are not posted in a similar fashion. The use of the sign for special events (flu clinics, etc.) is useful. This will be discussed at the next BOS meeting.

**Depot Street Bridge:** Notification was received from MassDOT that the Highway Division's Project Review Committee has evaluated the Depot Street Bridge and has determined that it is eligible for Federal Aid Bridge Funding. The estimated construction cost is \$3,000,000, plus additional costs for project design, construction engineering, construction contingencies, police details, participating utility relocation costs and any costs associated with right-of-way procurement and environmental permitting and mitigation. The eligibility determination is not a commitment of state or federal funding for this project. The decision to program funding for this project is made by the Franklin County Transportation Planning Organization (TPO) as part of their annual Transportation Improvement Program (TIP) development process. Ms. Miller will reply to MassDOT acknowledging receipt of their letter.

**Use of Depot Street Bridge by Rafting Companies:** Chairman Abbott reported that Officer Shippee informed him that she had seen several cars, pedestrians, and a yellow bus on the Depot Street Bridge at the same time recently. Zoar Outdoor guides were some of the pedestrians on the bridge. The Police Dept. is speaking with the area companies to inform them that violators will be prosecuted to the fullest. Bruce Lessels of Zoar Outdoor stated that his vehicles all park on Depot Street in Monroe and do not cross the bridge. Officer Shippee also reported that vehicles from rafting/kayaking companies have been blocking Skeeter Hill Road when loading/unloading. This will be prosecuted also.

**Overdue Dog Licenses:** Town Clerk Jenn Morse provided a list of overdue dog licenses. Ms. Miller will call the individuals for one last reminder before late fees are charged (\$25/dog).

**Library Monetary Gifts in Memory of Ellsworth Palmer:** Ms. Miller noted that several monetary gifts have been given to the Library in memory of Ellsworth Palmer. She has written to the Library Trustees seeking information concerning the gifts (so that they can be credited to the proper account), and has reminded them that all gifts need to be accepted by the Board of Selectmen.

**Employment Application:** Selectman McLatchy presented a draft of a new employment application. This item was deferred to the next meeting.

**Jo Sarnelli Invoice:** The Selectboard voted unanimously to pay the invoice from Jo Sarnelli in the amount of \$27,856.64 for the Internal Control Review she prepared for the town.

**EXECUTIVE SESSION:** At 9:15pm the Selectboard voted by the following roll call vote to go into Executive Session pursuant to MGL c.30A, Sec 21, for the purpose of discussing strategy with respect to litigation, because meeting in open meeting would have a detrimental effect on the matter; and to approve minutes of the April 11, 2012 and May 9, 2012 Executive Sessions; and to reconvene in Open Session following the Executive Session: Chairman Abbott – aye, Selectman McLatchy – aye, Selectman Wilson – aye. Ms. Miller was unanimously (3/0/0) invited to the Executive Session as minute taker.

**RECONVENE OPEN SESSION:** At 9:40pm Chairman Abbott called to order the reconvened meeting of the board.

**Vacation Rollover:** Ms. Miller informed the board that she has vacation time left for this fiscal year, but will be unable to take most or all of it due to heavy workload. She requested she be allowed to carry over any unused vacation. The Selectboard unanimously approved the rollover of any unused vacation, and stated that this policy applies to all other employees also.

**FRCOG Meeting:** Chairman Abbott reported that he attended last evening's FRCOG monthly meeting held at their new building at 12 Olive Street in Greenfield. They had a tour of the new building which he said is very impressive. They approved a \$10,000 addition to the FY13 budget.

**Next Agenda:** Strategic Planning and FY2013 Goals will be placed on the agenda for the next BOS meeting.

**Minutes:** Review/approval of minutes was deferred to the next meeting.

**Warrants:** Treasury Warrant W26 and Payroll Warrant P25 were unanimously (3/0/0) approved for payment.

**Adjournment:** The Selectboard voted unanimously (3/0/0) to adjourn the meeting at 9:49pm.

Respectfully submitted,

Ellen B. Miller  
Town Coordinator

Approved:

  
Noel R. Abbott, Chairman

Paul McLatchy III

  
Marilyn Wilson

July 3, 2012 (Signed July 9, 2012)  
Date Approved

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**Attachments:**

- Agenda
- STM Warrant – June 19, 2012 meeting
- Siemens Contract—Amendment #1
- SunTrust Equipment Lease Payoff Letter
- MassDOT letter re Depot Street Bridge
- Town Clerk notice re Overdue Dog Licenses
- Memo to Library Trustees re Monetary Gifts
- Draft Revised Employment Application
- J Sarnelli invoice